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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA

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13 UNITED STATES OF AMERICA, } CASE NO: CRF 05-00146 LJO

14 Plaintiff, }
15 v. }
16 JOSE MEDINA PRADO, }
17 Defendant. }
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19 **STIPULATION AND ORDER TO
20 CONTINUE TRIAL CONFIRMATION**

21 The parties hereto, by and through their respective attorneys, and with the
22 specific approval of Mr. Medina Prado, hereby agree to continue the trial
23 confirmation currently calendared for January 4, 2008 until February 1, 2008 at
24 8:45 a.m. in order to afford the defense sufficient time to complete the
25 investigation authorized by the court on December 21, 2007.

26 In addition, the parties agree that the motions in limine currently due to be
27 filed on January 4, 2008 be deferred until a future briefing schedule is set.

28 The parties anticipate that, if the matter cannot be resolved by February 1,
29 2008, the parties will, in all likelihood, agree to continue the jury trial currently
30 calendared for February 12, 2008 to a future date. Mr. Medina Prado will be
31 present at the continued trial confirmation to waive time under the Speedy Trial
32 Act, in the event it is necessary to continue the trial date.

1 Mr. Medina Prado agrees that time be excluded under the speedy trial act
2 and also that any delay resulting from this continuance shall be excluded in the
3 interest of justice pursuant to 18 U.S.C. §§3161(h)(1)(F), 3161(h)(8)(A) and
4 3161(h)(8)(B)(I) and (IV).

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6 DATED: January 2, 2008

/s/ Ian Garriques

~~IAN GARRIQUES~~

Assistant United States Attorney

**This was agreed to by Mr. Garriques
via telephone on January 2, 2008**

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9 DATED: January 2, 2008

/s/ Roger K. Litman

~~ROGER K. LITMAN~~

Attorney for Defendant

JOSE MEDINA PRADO

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11 THE COURT IS UNABLE TO ACCOMMODATE THE REQUEST. THE MOTIONS WILL BE
12 HEARD ON FEBRUARY 7TH AT 8:45 A.M. (THURSDAY).

13 THE TRIAL CONFIRMATION WILL TAKE PLACE ON FRIDAY, JANUARY 18, 2008 AT 8:45
14 A.M..

15 THE COURT IS NOT INCLINED TO MOVE THE TRIAL DATE OF FEBRUARY 12, 2008, WITH
16 OR WITHOUT A STIPULATION.

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IT IS SO ORDERED.

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Dated: January 2, 2008

/s/ Lawrence J. O'Neill

UNITED STATES DISTRICT JUDGE

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